

Appl. No. 09/965,276
Amdt. dated November 19, 2003
Reply to Office Action of November 5, 2003

REMARKS/ARGUMENTS

Applicants acknowledge receipt of the Office Action dated November 5, 2003. In that action, the Examiner entered a restriction between Group I claims (claims 1-6, 20-25, 35-41 and 62-73) and Group II claims (claims 7-19, 26-33 and 43-61).

I. RESTRICTION REQUIREMENT

With this Response to Office Action, Applicants do hereby elect to prosecute the Group I claims (claims 1-6, 20-25, 34-42 and 62-73) with traverse. Applicants respectfully traverse this restriction requirement.

The Manual of Patent Examining Procedures (MPEP) states:

If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions.

MPEP, Section 803. Applicants respectfully submit that there will be little additional burden on the Examiner to examine the entire application. For example, claim 1 (in Group I) is a method claim that requires:

separating the secondary cracker product by weight into a lighter portion, and a heavier portion; and
applying the heavier portion to the width separation device.

Claim 8 (in Group II) is a structural claim requires, *inter alia*:

a separation device in operational relationship to the cracker and receiving the secondary cracker product, wherein the separation device separates the secondary cracker product into a first portion and a second portion; and
a width separation device in operational relationship to the cracker and the weight separation device, and wherein the width separation device receiving the

Appl. No. 09/965,276
Amdt. dated November 19, 2003
Reply to Office Action of November 5, 2003

primary cracker product from the cracker and the first portion of the secondary cracker product from the separation device.
the separation device further comprises a weight separation device that separates the secondary cracker product into the first portion being a heavier portion and the second portion being a lighter portion.

Thus, the Examiner, in examining the Group I method claims, will need to search for structures that perform the recited methods. This search, by its very nature, overlaps with the search that may be required for the non-elected Group II.

Based on the foregoing, Applicants respectfully submit that while there may be separate inventions between the elected and non-elected groups, there will be no serious additional burden to examine the case in its entirety.

II. CONCLUSION

If the Examiner feels that a telephone conference would expedite the resolution of this case, he is respectfully requested to contact the undersigned.

Appl. No. 09/965,276
Amdt. dated November 19, 2003
Reply to Office Action of November 5, 2003

If any fees are inadvertently omitted or if any additional fees are required or have been overpaid, please appropriately charge or credit those fees to Conley Rose, P.C. Deposit Account Number 03-2769.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark E. Scott', is written over a horizontal line.

Mark E. Scott
PTO Reg. No. 43,100
CONLEY ROSE, P.C.
P.O. Box 3267
Houston, TX 77253-3267
(713) 238-8000 (Phone)
(713) 238-8008 (Fax)
ATTORNEY FOR APPLICANTS